

Serial No.: 09/751,147

Art Unit: 2623

Atty Docket: OT2.P68

REMARKS

This amendment accompanies a request for continued prosecution. In an office action made final mailed May 20, 2004:

- Claims 1-7, 9-15 and 18-25 were rejected under 35 USC 103(a) as being unpatentable;
- Claim 26 was objected to as being dependent upon a rejected base claim.

Claim 26 has been rewritten in independent format.

The limitations of claims 24 and 25 have been included in amended claim 1.

No new claims are added.

Claims 13, 24 and 25 are canceled.

Claims 1 and 26 are in independent format

Claims 1-7, 9-12, 14-15, 18-23 and 26 are pending.

Objections

The examiner objected to claim 26 as being dependent upon a rejected base claim, but being allowable if rewritten in independent format including all the limitations of the base claim and any intervening claims. **Claim 26** has been rewritten in such manner.

Claims 14-15 and 18-23 ultimately depend from claim 26 and distinguish over the cited art for the same reasons as given for claim 26.

It is noted that claims 24-25 together recite similar limitations as claim 26. **Claim 1** has been amended to include the limitations of claims 24-25. Accordingly, it is respectfully submitted that amended claims 1 and 26 are now in condition for allowance.

Claims 2-7 and 9-12 ultimately depend from claim 1 and distinguish over the cited art based at least upon the same reasons as given for claim 1.

The Cited Art and the Claims Distinguished

The examiner has rejected claims 1-7, 9-16 and 18-25 based on prior art. Applicants

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continue the arguments previously submitted and reserve the right to pursue the arguments in a continuation application.

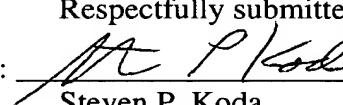
Conclusion

In view of the above amendments and remarks, it is respectfully submitted that the claims contain key limitations that are not present in the cited art and not obvious from the cited art. These particular limitations, are not disclosed in or suggested by cited references. These limitations are significant advances over the prior art and resulted in a novel method and apparatus for segmenting an object in an image frame.

In view of the above amendments and remarks, it is respectfully submitted that the claims are now in condition for allowance. The Examiner's action to that end is respectfully requested. Reconsideration of the claims and withdrawal of the rejections is respectfully requested.

If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the application, the Examiner is invited to call the undersigned attorney at the telephone number given below.

Dated: 12-21-2004

Respectfully submitted,
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